



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

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Order Filed on January 18, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: **17-21532-MBK**

Chapter 13

Judge: Michael B. Kaplan

In Re:

Thomas L. Kenny

Debtor.

**ORDER VACATING STAY AND CO-DEBTOR STAY AS TO REAL PROPERTY
LOCATED AT 10 SUNRISE CIR, HOLMDEL, NJ 07733 AKA 10 SUNRISE CIR,
HOLMDEL, MONMOUTH, NEW JERSEY 07733**

The relief set forth on the following page, numbered two (2) through three (3), is
hereby **ORDERED**.

DATED: January 18, 2022

A handwritten signature of Michael B. Kaplan in black ink.

Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Thomas L. Kenny

Case No.: **17-21532-MBK**

Caption of Order: **Order Vacating Stay and Co-Debtor Stay As To Real Property Located at 10 Sunrise Cir, Holmdel, NJ 07733 aka 10 Sunrise Cir, Holmdel, Monmouth, New Jersey 07733**

Upon the motion of BANK OF AMERICA, N.A. (the “Movant”), under Bankruptcy Code section 362(d) for relief from the automatic stay and relief from the Co-Debtor stay under Bankruptcy Code section 1301 as to certain real property located at 10 Sunrise Cir, Holmdel, NJ 07733 aka 10 Sunrise Cir, Holmdel, Monmouth, New Jersey 07733, (the “Subject Property”), and for cause shown, it is ORDERED:

1. That the automatic stay is vacated to permit the Movant to institute or resume and prosecute to conclusion one or more actions in the Court(s) of appropriate jurisdiction to pursue the Movant’s rights in the real property located at:

10 Sunrise Cir, Holmdel, NJ 07733
aka
10 Sunrise Cir, Holmdel, Monmouth, New Jersey 07733

2. That the Movant may join the Debtor and any Trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.
3. That this Order shall survive the conversion of this case to any other chapter of the Bankruptcy Code and remain in full force and effect.
4. That the Movant shall serve this order on the Debtor, any Trustee and any other party who entered an appearance on the motion.
5. That the fourteen (14) day stay of this order imposed by Federal Rule of Bankruptcy Procedure 4001(a)(3) is hereby waived, and stay relief is effective as of the date of this Order.

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Debtor: Thomas L. Kenny

Case No.: **17-21532-MBK**

Caption of Order: **Order Vacating Stay and Co-Debtor Stay As To Real Property Located at 10
Sunrise Cir, Holmdel, NJ 07733 aka 10 Sunrise Cir, Holmdel, Monmouth, New Jersey 07733**

6. That the co-debtor stay under 11 U.S.C. § 1301 is vacated as to the co-debtor(s), Kathleen M Kenny, to permit BANK OF AMERICA, N.A. to pursue its rights in the Subject Property described above as to the co-debtor(s).

In re:
Thomas L. Kenny
Debtor

Case No. 17-21532-MBK
Chapter 13

District/off: 0312-3
Date Rcvd: Jan 18, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 20, 2022:

| Recip ID | Recipient Name and Address |
|-----------------|--|
| db | + Thomas L. Kenny, 10 Sunrise Circle, Holmdel, NJ 07733-1115 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 20, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 18, 2022 at the address(es) listed below:

| Name | Email Address |
|----------------------|---|
| Albert Russo | docs@russotrustee.com |
| Andrew Thomas Archer | on behalf of Debtor Thomas L. Kenny aarcher@spillerarcherlaw.com bankruptcy@brennerlawoffice.com;mcdoherty_187750@ecf.courtdrive.com;R64966@notify.bestcase.com |
| Denise E. Carlon | on behalf of Creditor MEB Loan Trust IV dcarlon@kmllawgroup.com bkgroup@kmllawgroup.com |
| Douglas J. McDonough | on behalf of Creditor BANK OF AMERICA N.A. DMcDonough@flwlaw.com |
| Jonathan C. Schwab | on behalf of Creditor SN Servicing Corporation as servicer for U.S. Bank Trust National Association as Trustee of Bungalow Series IV Trust bankruptcy@friedmanvartolo.com |

District/off: 0312-3

User: admin

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Date Rcvd: Jan 18, 2022

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Jonathan C. Schwalb

on behalf of Creditor SN Servicing Corporation as servicer for U.S. Bank Trust National Association as Trustee of Lodge Series III Trust bankruptcy@friedmanvartolo.com

Laura M. Egerman

on behalf of Creditor U.S. Bank Trust N.A. bkyecf@rasflaw.com bkyecf@rasflaw.com;legerman@rasnj.com

Michael Frederick Dingerdissen

on behalf of Creditor U.S. BANK TRUST N.A., AS TRUSTEE FOR LSF8 MASTER PARTICIPATION TRUST
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Nicholas V. Rogers

on behalf of Creditor U.S. BANK TRUST N.A., AS TRUSTEE FOR LSF8 MASTER PARTICIPATION TRUST
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Sindi Mncina

on behalf of Creditor U.S. BANK TRUST N.A., AS TRUSTEE FOR LSF8 MASTER PARTICIPATION TRUST
smncina@raslg.com

Steven P. Kelly

on behalf of Creditor BANK OF AMERICA N.A. skelly@sterneisenberg.com, bkecf@sterneisenberg.com

U.S. Trustee

USTPRegion03.NE.EDF@usdoj.gov

TOTAL: 12